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WESTERN DIGITAL CORP.  
20511 LAKE FOREST DRIVE  
C205 - INTELLECTUAL PROPERTY DEPARTMENT  
LAKE FOREST, CA 92630

EXAMINER

USTARIS, JOSEPH G

ART UNIT	PAPER NUMBER
2617	

2617

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No. 09/872,197	Applicant(s) KAPNER ET AL.	
Examiner Joseph G. Ustaris	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 01 July 2005.
- 2a)  This action is **FINAL**.
- 2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 1-24 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 1-24 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5)  Notice of Informal Patent Application (PTO-152)
- 6)  Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. This action is in response to the amendment dated 01 July 2005 in application 09/872,197. Claims 1-24 are pending. Claims 1, 6, 9, and 17 are amended.

The objection to claim 6 is now withdrawn in view of the amendments.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 5-9, 13-17, and 21-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Jerding (US006463586B1).

As for Claim 1, Jerding teaches a client terminal connectable to a head end and a display device (see fig. 1 unit 10 Terminal and unit 14 Headend and fig. 2 unit 30 Display Device, col. 5 lines 16-34 "With reference to FIG. IA a terminal 10 in accordance with the present invention is provided as a part of a television system 12 which includes a headend 14 for receiving satellite television signals, demodulating the signals down to a baseband, and transmitting the signals over the system 12. . . .

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The terminals 10 may comprise or be an integral component of a home communication terminal (HCT), a television, a video cassette recorder (VCR), a computer, or other suitable device, in accordance with the present invention." And col. 5 lines 41-50 "the terminal 10 may be integrated into a device that includes a display 30, such as a television set or personal computer"), the head end provides program guide information including first program data associated with a first program and second program data associated with a second program (see col. 6 lines 17-23 "The program information may include program guide information that is displayed to the subscriber in the format of a program guide listing of the channels by channel number, the respective programs for viewing on each the channel, and the times at which the programs are shown." And fig. 7 unit 160 and 162, fig. 8 unit 168 and col. 11 lines 19-33 "Accordingly, illustrated in FIG. 7 is a service browsable listing 160 that includes service logo and short description. The service listing 160 is presented to the subscriber when the subscriber enters the particular browse mode, as discussed above." The logos and brief descriptions associated with any of the two channels (for example, A&E Arts & Entertainment and BRAVO BRAVO! NETWORK) are interpreted to be first program data associated with a first program and second program data associated with a second program.), the client terminal comprising:

a channel input interface to receive the program guide information (see fig. 2 unit 32 Communications Interface/Tuner col. 5 lines 55-65 "The communications interface 32 receives the signals, which can include video, audio, and data information, transmitted over the television system 12, 12', and for providing reverse information

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over the television system 12, 12' for transmission back to the headend 14, 14'. The communication interface 32 preferably includes a tuner for accessing or tuning particular program services to be displayed by the display device 30.");

a user interface to receive a first input and a second input (see fig. 2 unit 40 Transmitter col. 6 lines 3-10 "The user input device 40 can be any suitable device such as a hand-held remote control device or a wireless keyboard which can generate, for instance, infrared signals that are received by receiver 38. Preferably, the user input device 40 includes buttons or keys that can be selectively actuated by the subscriber for generating user inputs or command recognizable by terminal 10"); and

a terminal controller responsive to an on screen display (OSD) control program for (see fig. 2 unit 36 Processor col. 5 lines 65-67 "The processor 36 controls operation of the terminal 10 and. drives the display device 30.");

a. displaying channel identifiers on the display device (see fig. 5 unit 120 information banner col. 9 line 48 - col. 10 line 6 "FIG. 5 illustrates the presentation of an information banner 120 which can be presented simultaneously with a tuned program 122, whereby a portion of the tuned program is subservient to the information banner 120. . . . The information banner 120 preferably includes service information 124, such as a logo image 126, a short description 128, and a channel number 130. In addition, the information banner 120 may include program information 132 and the beginning and ending times 134 of the tuned program 122.". The information banner is interpreted to be a channel identifier);

b. selecting one of the channel identifiers in response to the first input (see fig. 5 unit 136 Browser col. 10 lines 7-65 "A browse indicator 136 of the information banner 120 may be displayed to indicate to the subscriber that the browse mode is activated and that browsing can be performed according to the current ordering scheme of program services. . . . The subscriber may enter the browse mode by inputting a command via the user input device 40, such as by selecting an arrow key 110 thereby causing the browse indicator 136 to appear. Once activated, the browse mode allows the subscriber to browse the program services by activating the scrolling keys 110, without changing the tuned program 122."), wherein the selection of the browse mode was made on CBS KCBS Browse or "one of the channel identifiers"; and

c. displaying a pop-up for the selected channel identifier on the display device (see fig. 6 unit 140 col. 10 lines 43-65 "with reference to FIG. 6, a subscriber may select the browse key 106 of the user input device 40 in order to enter an ordering scheme selection mode in which the subscriber may select an ordering scheme for browsing services. Upon selecting the browse key 106, a menu 140 may be presented in conjunction with the information banner 120. While the menu 140 is illustrated as a pop-up menu in FIG. 6 . . ." Menu 140 is a pop-up menu that is displayed in response to a user selecting the browser channel identifier);

d. wherein:

i. the pop-up displays the first program data associated with the first program of the selected channel identifier (wherein the system enters the mode via CBS KCBS Browse) in response to the first input (see fig. 7 unit 160 col. 11 lines 19-33

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"Accordingly, illustrated in FIG. 7 is a service browsable listing 160 that includes service logo and short description. The service listing 160 is presented to the subscriber when the subscriber enters the particular browse mode, as discussed above. For example, the user may select the enter key 112 so as to cause the terminal 10 to enter into browse mode and to cause the service listing 160 to be presented. The subscriber may then utilize the activation keys 110 to scroll through the listing of services provided by the service listing 160, wherein the scrolling cursor is identified by a selection box 162. While scrolling through the service listing 160, the subscriber may select the highlighted service by pressing the enter key 112. Upon doing so, the display 122 will change to that selected by the subscriber." And fig. 5 unit 132 program information col. 9 line 65 - col. 10 line 6 "The information banner 120 preferably includes service information 124, such as a logo image 126, a short description 128, and a channel number 130. In addition, the information banner 120 may include program information 132 and the beginning and ending times 134 of the tuned program 122.". When the user selects a highlighted service, the display 122 will change along with the program information 132. Program information 132 is interpreted to be the first program data associated with the first program, and the first input is the user selecting the highlighted service from unit 160 of fig.7) and the user interface receives the second input while the pop-up is displaying the first program data (When the user selects another service from the service listing of unit 160, it is interpreted as a second input while the pop-up is still displaying the first program data); and

ii. the pop-up displays the second program data associated with the second program of the selected channel identifier (wherein the system is still in the same mode as above that was entered via the original CBS KCBS Browse) in response to the second input (When the user selects another service from the service listing of unit 160 and display 122 changes along with program information 132 as described above, it is interpreted that the pop-up displays the second program data associated with the second program in response to the second input.).

As for Claim 5, Jerding teaches the program guide information displayed in the pop-up includes a channel number, a channel identifier, and a program time (see col. 9 line 65- col. 10 line 3 "The information banner 120 preferably includes service information 124, such as a logo image 126, a short description 128, and a channel number 130. In addition, the information banner 120 may include program information 132 and the beginning and ending times 134 of the tuned program 122").

As for Claim 6, Jerding teaches the program guide information displayed in the pop-up further includes a description of the program (see col. 9 line 65- col. 10 line 3 "The information banner 120 preferably includes service information 124, such as a logo image 126, a short description 128, and a channel number 130. In addition, the information banner 120 may include program information 132 and the beginning and ending times 134 of the tuned program 122.").

As for Claim 7, Jerding teaches the channel identifiers represent music channels (see fig. 12 unit 184 MTV Music Television. The MTV logo and channel name ("MTV") are interpreted to be channel identifiers of a music channel).



As for Claim 8, Jerding teaches the client terminal displays predetermined channel identifiers in a predetermined order set by the user (see col. 3 lines 1 1-19 "The present invention enables the user to select an ordering scheme of services for browsing as opposed to the system operator defining the ordering scheme. This provides for service navigation in a manner that is not only familiar to the subscriber, but more powerful and extensible than mere channel number navigation. In particular, the subscriber may select from two or more predefined ordering schemes that will enable the user to individually select a preferred scheme for navigating the available services.").

As for Claim 9, the limitations of Claim 9 fall within the limitation of Claim 1. Claim 9 further requires a computer program embodied in a computer readable storage medium (see fig. 2 unit 46 Navigator col. 6 lines 36-63 "A navigator 46 in accordance with an embodiment of the present invention is preferably stored in memory 42 as computer program code for execution by processor 36. The navigator 46 includes a controller 48, a user interface 50, and a searcher 52. The navigator 46 provides the functionality for providing efficient, flexible and user-friendly browsing by the subscriber.") for use in a client terminal and the computer program comprising code segments (see col. 6 lines 36-39 "A navigator 46 in accordance with an embodiment of the present invention is preferably stored in memory 42 as computer program code for execution by processor 36." It is interpreted that the computer program code inherently comprises code segments).

As for Claim 13, the limitations of Claim 10 fall within the limitations of Claim 5. Claim 13 is analyzed and rejected accordingly. Claim 13 further requires code segments. Jerding teaches code segments for carrying out the limitation of the claim (see col. 6 lines 36-63 "A navigator 46 in accordance with an embodiment of the present invention is preferably stored in memory 42 as computer program code for execution by processor 36. The navigator 46 includes a controller 48, a user interface 50, and a searcher 52. The navigator 46 provides the functionality for providing efficient, flexible and user-friendly browsing by the subscriber . . .").

As for Claim 14, the limitations of Claim 14 fall within the limitations of Claim 6. Claim 14 is analyzed and rejected accordingly. Claim 14 further requires code segments for carrying out the limitation. Jerding teaches code segments for carrying out the limitation of the claim (see col. 6 lines 36-63 "A navigator 46 in accordance with an embodiment of the present invention is preferably stored in memory 42 as computer program code for execution by processor 36. The navigator 46 includes a controller 48, a user interface 50, and a searcher 52. The navigator 46 provides the functionality for providing efficient, flexible and user-friendly browsing by the subscriber . . .").

As for Claim 15, the limitations of Claim 15 fall within the limitations of Claim 7. Claim 15 is analyzed and rejected accordingly. Claim 15 further requires code segments for carrying out the limitation. Jerding teaches code segments for carrying out the limitation of the claim (see col. 6 lines 36-63 "A navigator 46 in accordance with an embodiment of the present invention is preferably stored in memory 42 as computer program code for execution by processor 36. The navigator 46 includes a controller 48,

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a user interface 50, and a searcher 52. The navigator 46 provides the functionality for providing efficient, flexible and user-friendly browsing by the subscriber . . .").

As for Claim 16, the limitations of Claim 16 fall within the limitations of Claim 8. Claim 16 is analyzed and rejected accordingly. Claim 16 further requires code segments for carrying out the limitation. Jerding teaches code segments for carrying out the limitation of the claim (see col. 6 lines 36-63 'A navigator 46 in accordance with an embodiment of the present invention is preferably stored in memory 42 as computer program code for execution by processor 36. The navigator 46 includes a controller 48, a user interface 50, and a searcher 52. The navigator 46 provides the functionality for providing efficient, flexible and user-friendly browsing by the subscriber . . .").

As for Claims 17, and 21-24, Claims 17 and 21-24 are method claims with reference to Claims 1 and 5-8. The limitations of Claims 17 and 21-24 fall within the limitations of Claims 1 and 5-8. Therefore, Claims 17 and 21-24 are analyzed with respect to Claims 1 and 5-8 and are rejected accordingly.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 2-4, 10-12, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jerding (US006463586B1) in view of Alexander et al. (US006177931B1).

As for Claim 2, Jerding does not expressly teach the pop-up includes a next icon, such that the second input selects the next icon resulting in the display of second program data that is associated with a second program that occurs after the first program. However, Alexander et al. teach a user selecting an input resulting in the display of a second program data that is associated with a second program that occurs after a first program. See Alexander et al. fig. 1 unit 22 and fig. 2 units 28, 30, 34, and 32 col. 4 lines 49-56 "From window 12, 14, or 16 the viewer moves to grid guide 22 by pressing arrow key 32. (From grid guide 22 the viewer moves to window 12, 14, or 16 by pressing arrow key 34.) In grid guide 22 the viewer moves cursor 36 to highlight one of the nine tiles in which channel and title are displayed by pressing arrow keys 28 and 30. The viewer can view program listings scheduled at future times by pressing keys 32 or 34 to move horizontally about the Grid." Cursor 36 is interpreted to be a next icon when the user presses right key 32 to view the program listings schedule for the future time. When a user presses key 32 to view the program listing of programs to be transmitted in the future, this is interpreted as a second input selecting a next icon resulting in the display of a second program data that is associated with a second program that occurs after the first program. The first program is interpreted to be a program that is scheduled to be shown before the second program. In light of the teaching of Alexander et al., it would have been obvious to one of ordinary skill in the art

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at the time the invention was made to modify the teaching of Jerding to have the pop up include a next icon such that a second input selects the next icon resulting in the display of a second program data that is associated with a second program that occurs after the first program. One of ordinary skill in the art at the time the invention was made would have been motivated to do this in order to provide the subscriber with an option to see the schedule of programs that are going to be shown after the occurrence of a first program.

As for Claim 3, Jerding does not expressly teach the pop-up includes a previous icon, such that the second input selects the previous icon resulting in the display of second program data that is associated with a second program that occurs before the first program. However, Alexander et al. teach a user selecting an input resulting in the display of a second program data that is associated with a second program that occurs before a first program. See Alexander et al. fig. 1 unit 22 and fig. 2 units 28, 30, 34, and 32 col. 4 lines 49-56 "From window 12, 14, or 16 the viewer moves to grid guide 22 by pressing arrow key 32. (From grid guide 22 the viewer moves to window 12, 14, or 16 by pressing arrow key 34.) In grid guide 22 the viewer moves cursor 36 to highlight one of the nine tiles in which channel and title are displayed by pressing arrow keys 28 and 30. The viewer can view program listings scheduled at future times by pressing keys 32 or 34 to move horizontally about the Grid." Cursor 36 is interpreted to be a previous icon when the user presses left key 34 to view the program listings schedule for a program that is currently being shown after seeing a program listing of a program that is to be shown in future time. When a user presses key 34 to view the program listing of

programs currently being transmitted after seeing a schedule of a show to be transmitted in the future, this is interpreted as a second input selecting a previous icon resulting in the display of a second program data that is associated with a second program that occurs before the first program. The first program is interpreted to be a program that is scheduled to be shown after the second program. In light of the teaching of Alexander et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Jerding to have the pop up include a previous icon such that a second input selects the previous icon resulting in the display of a second program data that is associated with a second program that occurs before the first program. One of ordinary skill in the art at the time the invention was made would have been motivated to do this in order to provide the subscriber with an option to easily navigate through program listing of programs that are currently being shown and programs that are going to be shown in the near future.

As for Claim 4, Jerding does not expressly teach the pop-up includes a record icon such that the second input selects the record icon resulting in the recording of the first program in a local memory. However, Alexander et al. teach an electronic program guide that includes a record icon, whereupon when a user selects the record icon records a program in local memory. See Alexander et al. fig. 1 unit 46 Record col. 7 lines 58- col. 8 line 2 "In the Record Selection Function, also referred to as the Recording Function, the viewer instructs the EPG what programs to add to the Record List, which is the list of programs and related programming schedule information, for programs that the viewer want to have recorded. As is further described below, the

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viewer can identify the frequency/regularity with which the viewer wants to record each program listed in the Record List. The viewer can enter the Recording Function in a number of ways. The viewer can press the "Record" key, if there is one, on the viewer's remote control device. Alternatively, the viewer can "press" a "Record" action button on the EPG display." Alexander et al. does not expressly teach storing the recorded program in local memory. However, Official Notice (MPEP 2144.03) is taken that both the concepts and advantages of recording in a local memory are well known and expected in the art. At the time the invention was made, it would have been obvious to one with ordinary skill in the art to have the recording be stored in a local memory in order to have a faster access to the recorded program. In light of the teaching of Alexander et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Jerding to have the pop-up include a record icon, such that the second input selects the record icon resulting in the recording of the first program. One of ordinary skill in the art would have been motivated to do this in order to provide the user with an option to record a program that is currently being watched so the user may watch the recorded program at a time that is more convenient.

As for Claim 10, Jerding teaches code segments for displaying the limitations of Claim 10 fall within the limitations of Claim 2. Claim 10 is analyzed and rejected accordingly. Claim 10 further requires code segments for carrying out the limitation of the claim. Jerding teaches code segments for carrying out the limitation of the claim (see col. 6 lines 36-63 "A navigator 46 in accordance with an embodiment of the present invention is preferably stored in memory 42 as computer program code for

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execution by processor 36. The navigator 46 includes a controller 48, a user interface 50, and a searcher 52. The navigator 46 provides the functionality for providing efficient, flexible and user-friendly browsing by the subscriber . . .").

As for Claim 11, the limitations of Claim 11 fall within the limitations of Claim 3. Claim 10 is analyzed and rejected accordingly. Claim 11 further requires code segments. Jerding teaches code segments for carrying out the limitation of the claim (see col. 6 lines 36-63 "A navigator 46 in accordance with an embodiment of the present invention is preferably stored in memory 42 as computer program code for execution by processor 36. The navigator 46 includes a controller 48, a user interface 50, and a searcher 52. The navigator 46 provides the functionality for providing efficient, flexible and user-friendly browsing by the subscriber . . .").

As for Claim 12, the limitations of Claim 12 fall within the limitations of Claim 4. Claim 12 is analyzed and rejected accordingly. Claim 12 further requires code segments. Jerding teaches code segments for carrying out the limitation of the claim (see col. 6 lines 36-63 "A navigator 46 in accordance with an embodiment of the present invention is preferably stored in memory 42 as computer program code for execution by processor 36. The navigator 46 includes a controller 48, a user interface 50, and a searcher 52. The navigator 46 provides the functionality for providing efficient, flexible and user-friendly browsing by the subscriber . . .").

As for Claims 18-20, Claims 18-20 are method claims with reference to Claims 2-4. The limitations of Claims 18-20 fall within the limitations of Claims 2-4. Therefore, Claims 18-20 are analyzed with respect to Claims 2-4 and are rejected accordingly.



### ***Response to Arguments***

4. Applicant's arguments filed 01 July 2005 have been fully considered but they are not persuasive.

Applicant argues with respect to claims 1, 9, and 17 that Jerding does not disclose displaying first program data associated with a first program of the selected channel identifier and displaying second program data associated with a second program of the selected channel identifier in response to the second input. However, reading the claims in the broadest sense, Jerding still meets all the limitations of claims 1, 9, and 17. Jerding discloses that the user can enter a browse mode via the CBS KCBC or "the selected channel identifier" shown in Figs. 5-6. Within this mode the user can view FOX or "first program" along with its "first program data" furthermore the user can view another program e.g. BRAVO or "second program" along with its "second program data" shown in Fig. 7. The user is able to view the program data for both FOX and BRAVO by entering the browse mode via the CBS KCBC or "of the selected channel identifier".

Applicant also argues with respect to claims 1, 9, and 17 that Jerding does not disclose pop-ups. However, reading the claims in the broadest sense, Jerding does disclose pop-ups. Figs. 5-7 discloses an information banner 120, menu 140, and browsable listing 160 functions as the pop-ups. Upon changing channels or user request the information banner or menu pops up and is displayed on top of the existing image (See Figs. 5 and 6). Furthermore, upon user completion of the browse mode or

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the cancel operation, the menu and eventually the banner would disappear thereby allow the user to view the program as suggested by Figs. 5-7.

Applicant further argues with respect to claims 1, 9, and 17 that Jerding does not disclose a pop-up that displays second program data associated with a second program of the selected channel identifier. However, as discussed above, the banner, menu, and browsable listing is considered a pop up that can display FOX or "first program" along with its "first program data" furthermore the user can view another program e.g. BRAVO or "second program" along with its "second program data" shown in Fig. 7. The user is able to view the program data for both FOX and BRAVO by entering the browse mode via the CBS KCBS or "of the selected channel identifier".

It is noted that applicant further extends the above arguments to claims 2-4, 10-12, and 18-20.

Applicant is reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The examiner suggests that the applicant consider providing more details in the independent claims about the guide that displays the channel identifiers and icons and how the pop-ups relate to the identifiers as disclosed by applicant's specification (See Fig. 2).

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

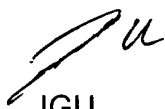
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph G. Ustaris whose telephone number is 571-272-7383. The examiner can normally be reached on M-F 7:30-5PM; Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JGU  
October 3, 2005



**VIVEK SRIVASTAVA  
PRIMARY EXAMINER**